

EX PARTE OR LATE FILED



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P.O. Box 2301  
Cincinnati, Ohio 45201-2301

June 5, 1998

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: Ex Parte  
CC Docket No. 95-116  
NSD File No. L-98-14

Dear Ms. Salas:

On June 4, 1998 Roger Werth and I, of Cincinnati Bell Telephone ("CBT") discussed various issues related to the above referenced proceeding with Patrick Forster and Jared Carlson of the Network Services Division of the Common Carrier Bureau. This telephone conversation was conducted in response to questions raised by Mr. Forster. The discussion addressed the specifics of the North American Numbering Council's ("NANC") recommendation regarding CBT's request for modification of the Midwest region Number Portability Administration Center ("NPAC") boundary for the Cincinnati MSA and CBT's scheduled deployment of Local Number Portability ("LNP") in the Cincinnati MSA.

CBT explained that the NANC recommendation supporting CBT's request "that it be allowed to select one regional Number Portability Administration Center for purposes of fulfilling its number portability responsibilities"<sup>1</sup> is in fact a recommendation that the entire Cincinnati MSA be assigned to a single NPAC region. We further explained that it would be technically impossible to have CBT use the Midwest NPAC while other carriers in the same territory used the Southeast NPAC. In order to port numbers from one carrier to another, all carriers involved must be using the same NPAC.

Further support that the NANC recommendation is really intended to allow all carriers operating in the Cincinnati MSA to participate in the Midwest NPAC can be found in the report of the Local Number Portability Administration Working Group which accompanies the NANC recommendation.<sup>2</sup> The report identifies only four potential solutions to the situation identified by CBT in its June 2, 1997 filing, and only one of

<sup>1</sup> See, Letter to A. Richard Metzger, Jr., Acting Chief, Common Carrier Bureau, from Alan Hasselwander, Chairman, North American Numbering Council, November 24, 1997.

<sup>2</sup> See, Report of the North American Numbering Council, Local Number Portability Administration Working Group, November 17, 1997.

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those solutions (Option 3) corresponds to CBT's request. Option 3 - "Place all NPA NXXs in the MSA entirely within one (1) NPAC region" is addressed in section 3.4 of the report. CBT further explained Option 3 as its requested solution at the NANC's November 18, 1997 meeting during which the recommendation to grant CBT's request was adopted. Attached to this letter is a copy of an Ex Parte Statement filed by CBT with the Commission on November 17, 1997 which further explains CBT request. This same presentation was also the basis of CBT's presentation to the NANC on November 18<sup>th</sup> and clearly indicates that CBT's request is for the entire Cincinnati MSA to be assigned to a single NPAC region, thus applying equally to all carriers operating in the MSA.<sup>3</sup>

During the conversation with Mr. Forster and Mr. Carlson, CBT also indicated that its scheduled date to complete implementation of LNP in the Kentucky portion of its territory, is July 1<sup>st</sup>. This date is in compliance with the Commission's rules for implementation in switches within the top 100 MSAs that are received less than nine months before the deployment date set for the MSA.<sup>4</sup> CBT received requests for number portability in six switches in Kentucky in January of 1998, less than nine months from the May 15<sup>th</sup> scheduled implementation date for the Cincinnati MSA.<sup>5</sup> Therefore, the alternate deployment deadline for the conversion of additional exchanges applies to these requested switches. According to this schedule, CBT has 60 days after the deadline for deployment in the MSA to convert these hardware capable switches.<sup>6</sup> Thus, the deadline for the requested Kentucky switches is July 14, 1998. CBT however, agreed to convert the switches ahead of the deadline and thus, will complete implementation on July 1, 1998.

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<sup>3</sup> See, CBT Ex Parte Statement, CC Docket No. 95-116, Local Number Portability, November 17, 1997, page 7.

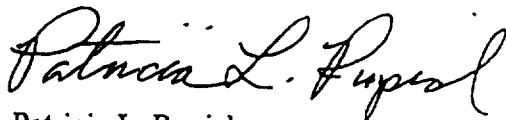
<sup>4</sup> Section 52.23(b)(2)(ii) and (iv) of the Commission's rules. Also see, Telephone Number Portability, CC Docket No. 95-116, RM-8535, First Memorandum Opinion and Order on Reconsideration, released, March 11, 1997 at paragraphs 59 - 71.

<sup>5</sup> CBT received requests for all switches in the Ohio portion of the MSA more than nine months in advance of the deadline, therefore, LNP implementation was completed in all switches in the Ohio portion of the MSA by May 15, 1998.

<sup>6</sup> Section 52.23(b)(2)(iv)(B) of the Commission's rules.

The original and one copy of this letter are being submitted in accordance with Section 1.1206(a)(2) of the Commission's Rules.

Sincerely,

A handwritten signature in cursive script, reading "Patricia L. Rupich".

Patricia L. Rupich  
Regulatory Analyst

c: Patrick Forster  
Jared Carlson

Attachment



**Cincinnati Bell  
Telephone**

**Eugene J. Baldrate**  
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November 17, 1997

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D. C. 20554

RE: Ex Parte Statement  
CC Docket No. 95-116  
Local Number Portability

Dear Ms. Salas:

Today Dennis Hinkel, Roger Werth and Patricia Rupich representing Cincinnati Bell Telephone met with Geraldine Matise, Marian Gordon, Andre Rausch and Erin Duffy of the Network Services Division and Kyle Dixon of the Policy and Program Planning Division of the Common Carrier Bureau to discuss the above referenced proceeding. The attached material regarding the design of the NPAC regions as it relates to the Cincinnati MSA were discussed.

The original and one copy of this letter are being submitted in accordance with Section 1.206(a)(2) of the Commission's Rules.

Sincerely,

Eugene J. Baldrate

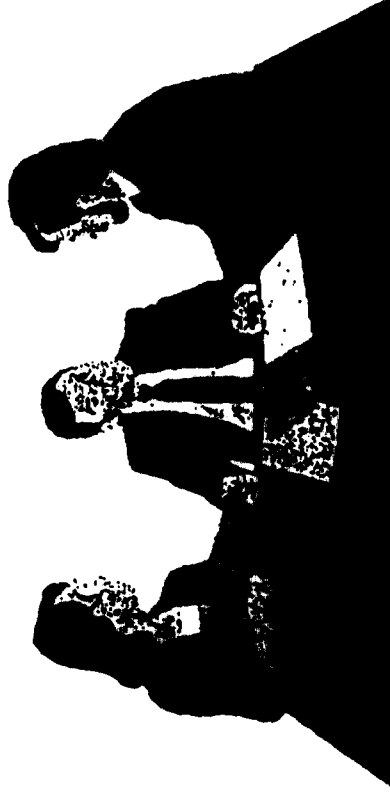
cc: Geraldine Matise  
Marian Gordon  
Andre Rausch  
Erin Duffy  
Kyle Dixon

NOV 17 1997  
FEDERAL COMMUNICATIONS COMMISSION

# Agenda



- ❖ Introductions
- ❖ Background
- ❖ Status
- ❖ Summary

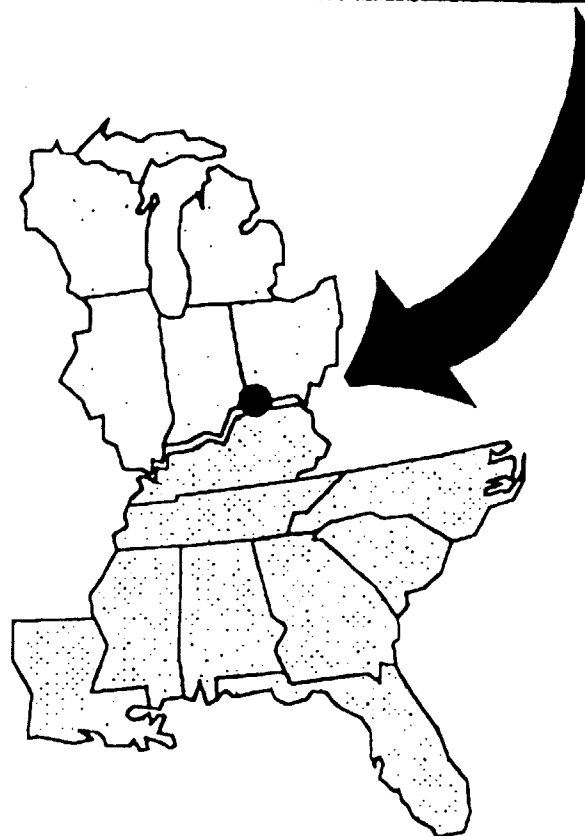


# Who we are . . .



- ❖ Cincinnati Bell Telephone operates in Southwestern Ohio, Northern Kentucky and Southeastern Indiana.

- Ø 1 million access lines
- Ø 2,436 sq. miles
- Ø 2800 employees
- Ø 1 LATA, 1 MSA



# Background



- ❖ LNPA Working Group Recommendations released May 1, 1997
  - Ø NPAC regions correspond to the original seven RBOC territories
  - Ø CBT filed comments on June 2, 1997 in response to Public Notice regarding the NANC recommendation
- ❖ CBT operating territory spans two NPAC regions with two different vendors
  - Ø Additional cost of \$400,000 for CBT to connect to two NPACs
  - Ø No other LEC identified in exactly the same situation
  - Ø Requested to select a single NPAC region

## Background (cont.)



- ❖ Second Report and Order released August 18, 1997
  - Ø Directed NANC to review CBT's request and make recommendation to FCC on or before December 15, 1997
  - Ø NANC specifically charged with addressing whether LECs with contiguous operating areas that overlap more than one number portability database region should be allowed to select a single NPAC
  - Ø Critical factors to consider
    - Technical difficulties for LNP implementation
    - Negative financial consequences for other carriers
- ❖ LNPA Working Group assigned a subcommittee to examine this issue



# FCC Direction to NANC



22. We decline, at this time, to grant CBT's request that it be allowed to select one regional Number Portability Administration Center for purposes of fulfilling its number portability responsibilities. **We find that the current record is insufficient to make a finding that granting CBT's request will not raise technical difficulties with respect to local number portability implementation or have negative financial consequences for carriers responsible for conducting the queries necessary to route calls to the proper terminating carrier.** Because the record on this issue is insufficient for us to make a determination whether the benefits to CBT of granting its request outweigh the potential harm to other carriers, we decline to make such a determination at this time. Instead, we direct the NANC to review CBT's request and to make a recommendation to the Commission, on or before December 15, 1997. Specifically, we direct the NANC to address the question of **whether LECs with contiguous operating areas that overlap more than one number portability database region should be allowed to select a single Number Portability Administration Center.**

FCC's Second Report and Order, CC Docket 95-116, Para. 22  
(emphasis added)

# Current Status

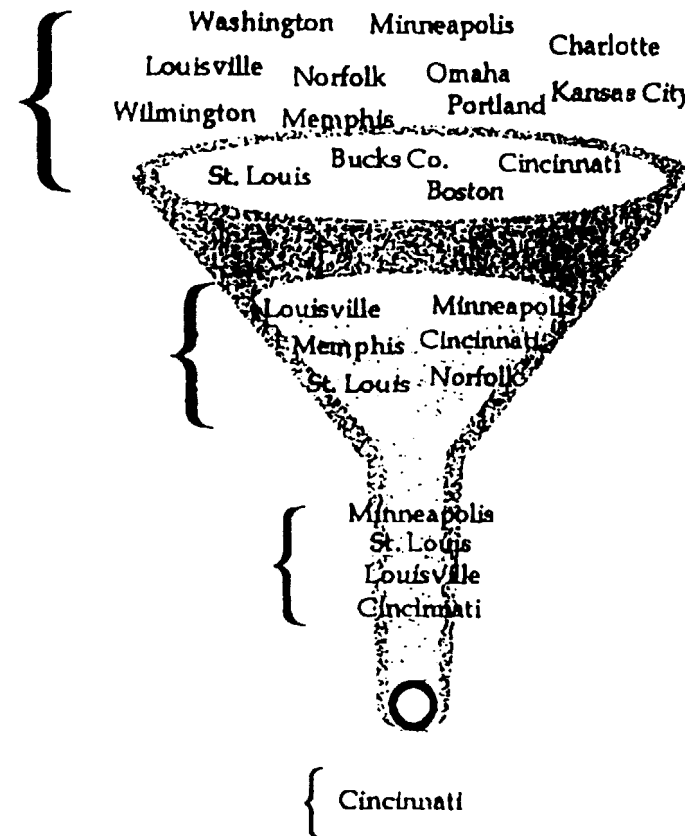


## ❖ Subcommittee determined that the Cincinnati MSA is uniquely impacted

- ▣ 14 MSAs cross state boundaries
- ▣ 6 cross NPAC region boundaries
- ▣ 4 cross NPAC vendor boundaries
- ▣ 1 has same ILEC on both sides of boundary

⌘ If the Cincinnati MSA is assigned to a single NPAC region, LNP implementation costs will decrease for many carriers operating in both Ohio and Kentucky portions of the MSA, and no carriers will realize increased costs.

⌘ Can be implemented via a simple administrative change.



## Current Status (cont.)



- ❖ Any change which reduces costs of LNP implementation without causing any technical difficulties or anticompetitive effects is in the public interest.
- ❖ Assigning the entire Cincinnati MSA to a single NPAC region ensures competitive neutrality and may make it more attractive for CLECs to provide service in northern Kentucky
  - Ø Applies equally to ILEC and CLECs operating in the MSA
  - Ø Any CLEC offering service in both the Ohio and Kentucky portions of the MSA will realize cost savings

## Current Status (cont.)



- ❖ LNP Working Group recommended against assigning the Cincinnati MSA to a single region because of concerns about setting a precedent for other providers
- ❖ Those concerns are misplaced
  - Ø Order addresses only LECs
  - Ø Proposal affects only the Cincinnati MSA
  - Ø Issues related to other service providers should be considered independently






# Summary



- ❖ Assigning the entire Cincinnati MSA to a single NPAC is clearly in the public interest
  - Ø Administratively simple
  - Ø No technical difficulties
  - Ø Competitively neutral
  - Ø Reduces costs of LNP implementation
  - Ø No adverse impact on any carriers
  - Ø May facilitate entry by new CLECs

# Cincinnati LATA



- County Boundaries
-  Cincinnati Bell Telephone Company
-  General Telephone of Ohio
-  United Telephone Company of Ohio
-  Telephone and Data Systems, Inc.
-  United Telephone Company of Indiana

**Notes:**

- Some NXXX codes are limited for use with special services, such as paging and cellular service.
- Some NXXX codes will not be activated until later in 1996.
- NXXX codes in ( ) indicate Local Area Service.
- NXXX codes in [ ] are used for both EAS and LAS.